IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT:

Je H. LEE et al.

SERIAL NO.:

09/118,824

(Subsequently reissued as U.S. RE38,868 on

November 8, 2005)

(Reissue of U.S. Patent No. 5,587,789, which issued on

December 24, 1996)

FILED:

July 20, 1998

FOR:

APPARATUS AND METHOD FOR CONTROLLING

RECORDING AMD REPRODUCTION IN DIGITAL

VIDEO CASSETTE TAPE RECORDER

SUPPLEMENTAL DECLARATION OF JEHYOUNG LEE

This Supplemental Declaration is supplemental to the Combined Declaration and Power of Attorney filed on April 13, 1994, which was filed in relation to U.S. application 08/227,281. This Supplemental Declaration is also supplemental to the Combined Reissue Declaration and Declaration of Attorney filed on July 20, 1998, the Supplemental Reissue Declaration filed on December 20, 1999, and the Supplemental Declaration For Reissue Patent Application To Correct "Errors" Statement filed on June 4, 2002, each of which was filed in relation to U.S. reissue application 09/118,824.

I, Jehyoung Lee, hereby declare as follows:

My name, citizenship and residence are indicated below.

I am a named co-inventor of U.S. RE38,868, which reissued on November 8, 2005 from reissue application 09/118,824 ("the '824 Reissue Application").

RE38,868 is a reissue of U.S. Patent 5,587,789 ("the '789 patent"), which issued on December 24, 1996 from U.S. patent application 08/227,281 ("the '281 Application"), of which I also am a named co-inventor. At the time of both applications, I used the name "Je Hyung Lee", which I have subsequently changed to "Jehyoung Lee".

A. The April 13, 1994 Combined Declaration and Power of Attorney for the '281 Application

On or before April 6, 1994, I received a draft of the '281 Application from Mr. Gi-Up Cho of LG Electronics Inc. ("LGE") in both the Korean and English language, which I reviewed and understood. Mr. Cho also informed me that a Combined Declaration and Power of Attorney ("Declaration") was required for the '281 Application, and he generally explained its content to me. After receiving his explanation, I authorized Mr. Cho to have my name signed on my behalf at the end of the Declaration.

Upon information and belief, the executed document was filed in the U.S. Patent and Trademark Office ("USPTO") on April 13, 1994. By authorizing Mr. Cho to have my name signed on my behalf, I did not intend to deceive the USPTO.

B. The July 20, 1998 Combined Reissue Declaration and Declaration of Attorney for the '824 Reissue Application

Shortly before July 13, 1998, Mr. Dae Sul Shim from LGE informed me that the '824 Reissue Application was being prepared, and he needed me to review and

sign a Combined Reissue Declaration and Power of Attorney ("Reissue Declaration") related to that application. Mr. Shim sent me an e-mail explaining the substance of the Reissue Declaration, with instructions to execute and return the Reissue Declaration, which he was sending me separately by facsimile. It is my understanding that Mr. Shim made repeated attempts to send me a copy of the Reissue Declaration by facsimile, but those attempts failed. Nonetheless, I understood Mr. Shim's description of the Reissue Declaration, and I sent Mr. Shim an email authorizing him to have my name signed on my behalf.

Upon information and belief, the executed Reissue Declaration was filed in the USPTO on July 20, 1998. By authorizing Mr. Shim to have my name signed on my behalf, I did not intend to deceive the USPTO.

C. The June 4, 2002 Supplemental Declaration for Reissue Patent Application to Correct "Errors" Statement (37 CFR 1.175) for the '824 Reissue Application

On or before May 26, 2002, I received a telephone call from Mr. Yeo Han Yun of LGE, who informed me that a Supplemental Declaration For Reissue Patent Application To Correct "Errors" Statement (37 CFR 1.175) ("Second Supplemental Declaration") was required for the '824 Reissue Application. Mr. Yun explained to me the substance of the Second Supplemental Declaration over the telephone in the Korean language. I told Mr. Yun that the Second Supplemental Declaration was correct, and I authorized Mr. Yun to have my name signed on my behalf at the end of the document.

Attorney Docket No. 2950-0141P Serial No. 09/118,824

Upon information and belief, the executed document was filed in the USPTO on June 4, 2002. By authorizing Mr. Yun to have my name signed on my behalf, I did not intend to deceive the USPTO.

I have re-read and re-reviewed all of the statements made in each of the declarations filed in relation to the '281 Application and the '824 Reissue Application, copies of which are attached hereto as Exhibits A-D, and I reaffirm that all of the statements made therein of my own knowledge are true, and that all statements made therein on information and belief are believed by me to be true.

I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed by me to be true. These statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of RE38,868.

Jehyoung LEE

Signature: Jehyan Lee

Date: Jan. 6. 2008

Citizenship:

Republic of Korea

Residence:

19608 Pruneridge Ave., Apt. # 9105

Cupertino, CA 95014

EXHIBIT A

PLEASE MOTE: 101 MLS? COMPLETE THE POLLOWING.

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

ATTORNEY DOCKET NO.

As a below named inventor, I hereby declare that; my residence post office address and citizenship are as stated next to my name; that I verify believe that I am the original. first and sole inventor (if only one inventor is named below) or a joint inventor (if plurel inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: * APPARATES POR CONTROLLING RECORDING AND REPRODUCTION

IN DIGITAL VIDEO CASSETTE TAPE RECORDER

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the specification of which is attached hereto unless one of the	following boxes is checked:
The Specification was filed on	and was assigned
Serial No and was amended on	
was filed as PCT international application number	on on
and was amended under PCT Article	e 19 on
(if applicable).	
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\ 1 hereby state that 1 have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

Lacknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below:

Prior Foreign Application(s) 6441/1993 Priority Claimed

6441/1993 April 16, 1993 Rorea Ø Yes Ď. (Number) (Month/Day/Year Filed) Yes (Number) (Month/Day/Year Filed) (Country) (Number) (Country) (Month/Day/Year Filed) Q Ys 20% (Number) (Country) (Month/Day/Year Filed) 0 Ç, (Month! Day! Year Filed)

All Foreign Applications, if any, for any Potent or Inventor's Certificate Filed More Than 12 Months (6 Months for Designs) Prior To The Filing Date of This Application:

Country Application No. Date of Filing (Month/Day/Year)

I hereby claim the benefit under Title 35. United States Code, §120. of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Striat No.)	(Filing Date)	(Sustus - patrance, pending absorboned)
(Application Servil No.)	(Filing Day)	(Status - putented, pending abandoned)
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Page 1 of 2

NOTE Must be completed

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I hereby appoint the following attorneys to prosecute this application and or an international application based on this application and to transact all outiness in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below. unless the inventor(s) or assignce provides said attorneys with a written notice to the contrary.

RAYMOND C. STEWART (RCL. No. 21,060)
JOSEPH A. KOLASCH (Rep. No. 22,263).
JAMES M. SLATTERY (Rcs. No. 26,380)
DONALD C. KOLASCH (Rcs. No. 26,380)
CHARLES GORENSTEIN (Rcs. No. 22,211)
LEONARD R. SVENSSON (Rcs. No. 50,310)
MARC S. WEINER (Rcs. No. 37,181)

TERRELL C. BIRCH (Rep. No. 15.382)
ANTHONY L. BIRCH (Rep. No. 76.172)
BERNARD L. SWEENEY (Rep. No. 24.448)
MICHAEL K. MUTTER (Rep. No. 35.680)
GERALD M. MURPHY, JR. (Rep. No. 22.977)
TERRY L. CLARK (Rep. No. 32.944)
ANDREW D. MEIKLE (Rep. No. 32.968)

PLEASE HOTE: TOU MUST COMPLETE THE SOLLOWING: 0

Send Correspondence to: BIRCH, STEWART, KOLASCH AND BIRCH
P.O. Box 747
Falls Church, Virginia, 22940-0747
Telephone: (703) 205-8090

Facsimille: (703) 205-8050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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EXHIBIT B

PATENT 2922-102P

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT:

Je H. LEB et al.

SERIAL NO.:

NEW

(Reissue of U.S. Patent No. 5,587,789)

FILED:

(Issued: December 24, 1996)

FOR:

APPARATUS AND METHOD BY CONTROLLING RECORDING AND REPRODUCTION IN DIGITAL VIDEO CASSETTE TAPE RECORDER

COMBINED REISSUE DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare as follows:

That our names, residence and citizenship are indicated below;

That we have reviewed and understand the contents of the attached reissue application including original claims 1-22 and newly submitted claims 23-58;

That we admowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37. Code of Federal Regulations, Section 1.56(a);

That we verily believe that we are the original, first and only joint inventors of the invention described and claimed in United States Patent No. 5,587,789 entitled "APPARATUS AND METHOD FOR CONTROLLING RECORDING AND REPRODUCTION IN DIGITAL VIDEO CASSETTE TAPE RECORDER" and in the foregoing specification for which invention we respectfully solicit a reissue patent:

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That we do not know and do not believe that the same invention was ever known or used before our invention or discovery thereof; or patented or described in any printed publication in any country before our invention or discovery thereof, or more than one (I) year prior to the filling of our original application for United States Letters Patent No. 5.587,789 of which that is an application for reissue; or in public use of on sale in the United States of America for more than one (I) year prior to the filling of the original application; that the invention has been paramed or much the subject of an inventor's certificate issued before the date of the original application in any country foreign to the United States of America on an application filled by us or our legal representatives or assignees more than twelve (12) months prior to said original application and that no application for patent or inventor's certificate surve been filled by us or our legal representatives or assignees in any country foreign to the United States of America before the application of the original patent;

That we verily believe that there are errors in the original patent which make such original patent partially/inoperative by reason of claiming less than we had a right to claim and that all errors being corrected in the reissue application up to the time of filing of this declaration arose without any deceptive intent:

That, more specifically, with respect to independent apparatus claim if the errors include specific recitation of the detailed functions of the frame recording position controlling means and the frame removing means; that, more specifically, with respect to independent apparatus claim 11, the errors include specific recitation of the detailed functions of the frame position information recording means with

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Attorney Docket No. 2922-102P

respect to index information; that, more specifically, with respect to independent method claims 19, the errors include specific recitation of the details of the calculating step; and that, more specifically, with respect to independent method claim 21, the errors include specific recitation of the details of the recording step with respect to index information;

That for this reason, there are errors in the original patent claims which rendered the original patent partially inoperative by falling to broadly claim the aspects of our invention.

Thus, newly submitted independent claims 23, 33, 42, and 52 are presented to cure the inadequacies of present claims 1-22. Claims 24-32, 34-41, 43-51, and 53-58 are all directly or indirectly dependent from claims 23, 33, 42, and 52, respectively. Each of these dependent claims is necessary to recite other features of the invention or to further define the basic elements of the invention recited in the independent claims. Claims 23-58 are not equivalent in scope to any of claims 1-22.

Upon review of the prior art cited during the examination of the original application, and the further documents submitted herewith, we do not believe that any of the documents disclose or suggest the invention as set forth in any of the claims 1-58, and that we are entitled to the more comprehensive protection represented by newly offered claims 23-58. As such, we believe that all of the claims 23-58 are necessary to protect our invention with claims of varying scope, and to correct for the insufficiencies of claims 1-22.

Applicants hereby offer to surrender the original Letters Patent No. 5,587,789.

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substitute and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith, and request that all correspondence with respect to this application be directed to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP. P.O. Box 747 Falls Church, Virginia 22040-0747 USA

Terrell C. Birch	(Reg. No. 19,382)	Raymund C. Stewarf	(Key, No. 21,066)
Joseph A. Koleach	(Reg. No. 22,463)	James M. Slathery	(Reg: No. 28,380)
Bernard L. Sweeney	(Ros. No. 84,448)	Michael K Mutter	(Reg. No. 29,680)
Charles Corcustein	(RAS. No. 29:271)	Gereld M. Mitrohy, Jr.	(Reg-No.28,997)
Leonard R. Svensson	(Reg. No. 30,530)	Teny L. Clark	(Reg. No. 32,644)
Andrew D. Meilde	(Reg. No. 32,868)	Marc S. Weiner	(Reg. No. 52,181)
Joe McKinnoy Muncy	(Reg. No. SZ334)	Andrew F. Reish	(Reg. No. 33,443)
C. Joseph Fareci	(Reg. No. 32,350)	Donald J. Deley	(Reg. No. 34,913)

WHEREFORE, the Petitioners hereby offer to surrender, upon the allowance of said application, the original of said Letters Patent and prays that Letters Patent be ressued to Petitioners for the invention of patent claims 1-22 with the newly presented claims 23-58;

The undersigned declares further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and

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EXHIBIT C

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IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT:

Je H LEE et al.

SERIAL NO:

09/118,824

(Reissue of U.S. Patent No. 5,587,789)

FILED:

July 20, 1998

(Issued: December 24, 1996)

FOR:

APPARATUS AND METHOD FOR CONTROLLING RECORDING AND REPRODUCTION IN DIGITAL

VIDEO CASSETTE TAPE RECORDER

SUPPLEMENTAL REISSUE DECLARATION

Supplemental to the Reissue Declaration filed on July 20, 1998, Applicants hereby declare as follows:

That our names, residence and citizenship are indicated below;

That we hereby claim foreign priority benefits under Tide 35, U.S.C. \$119 of prior Korean application 58080/1996 (iled on November 27, 1996; and

That every error in the patent which was corrected in the present roissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the Applicant.

The undersigned declares further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful

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Attorney Dockel No. 2950-0141P Scrial No. 09/118,824

false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize validity of the application or any reissue patent issuing thereon.

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Date: Dec. 16. 1999

Residence: San Jose, CA

Citizenship: Republic of Korea

Address: 350 Elan Village Ln #203, San Jose, CA 95134

500 Kyung KIM

Signature

Residence: Seaul, Korea

Citizenship: Republic of Korea

Address:

356, Newsirsung Apt. 102-107 Sinsa-Dong, Eunpyung-Ku,

Seoul, KOREA

Sang Joon WOO

Residence: Seoul, Korea Citizenship: Republic of Korea

42-45, Yeokchon-Dong, Eunpyung-Ku, Scoul, KOREA Address:

Anomey Docket No. 2950-0141P Serial No. 09/118,824

Tac Seak YANG

Residence: Seoul, Korea
Citizenship: Republic of Korea
Address: 132-1303 Lotte Apt. Soonae-Dong Bundang-Gu Soengnam-Shi,
Kyunggi-Do, KOREA

EXHIBIT D

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SUPPLEMENTAL DECLARATION FOR REISSUE	Adorney Doctrel Humber	2950-0141P
	First Mamed Inventor	Je H. LEE et al.
	COMPLETE	
PATENT APPLICATION	Application Number	09 / 118,824
TO CORRECT "ERRORS" STATEMENT	Filtry Data	July 20, 1998
(37 CFR 1,175)	Group Art Unit	2615
	Brandon Maria	T. TRAN

tiWe hereby declare that;

Every arror in the patent which was corrected in the present relative application, and which is not covered by the prior cath(a) and/or declaration(a) admitted in this application, areas without any deceptive intention on the part of the applicant.

becopying interest of the party like and herein of mytour own knowledge are true and their all statements made herein of mytour own knowledge are true and their all statements medo on information and helief are believed to be true; and further that these statements were made with the knowledge that willing lates estatements and the like so made are punishable by fine or instruments, or both, under 18 U.S.C. 1001 and that such willful felse statements may jacoardize the validity of the spoilcarden or any state leaved thorsen.

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